

ARCHITECTURAL REVIEW BOARD MINUTES
REGULAR MEETING – JUNE 2, 2010

The regular meeting of the Bal Harbour Village Architectural Review Board was held on Wednesday, June 2, 2010, in the Bal Harbour Village Hall Council Chambers (655 – 96th Street, Bal Harbour, Florida).

1. CALL TO ORDER/ROLL CALL: The meeting was called to order at 11:15 a.m. by Giorgio Balli, Acting Chairman. The following were present:

James Silvers¹
Giorgio Balli
Paul Buzinec
Christopher Cawley²
Jaime Schapiro

Also present:

Daniel Nieda, Building Official
Ellisa L. Horvath, MMC, Village Clerk
Johanna M. Lundgren, Village Attorney
Alfred J. Treppeda, Village Manager
Mayor Jean Rosenfield
Councilwoman Patricia Cohen
Councilman Martin Packer

As a quorum was determined to be present, the meeting commenced.

2. PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by the Board.

3. APPROVAL OF MINUTES: *A motion was offered by Mr. Buzinec and seconded by Mr. Cawley to approve the minutes from the May 5, 2010 Regular Meeting. The motion carried (4-0).*

4. HEARINGS:

Ms. Lundgren explained the procedures for the quasi-judicial process. No disclosures were made by the Board. Those planning to speak at the hearing were sworn in by Mrs. Horvath.

ZALMAN LEKACH – 110 CAMDEN DRIVE: This item was discussed later in the meeting, since the applicant was not in attendance.

¹ Mr. Silvers arrived during discussion of the Bal Harbour Village application.

² Mr. Cawley left the meeting after approval of the Bal Harbour Village application.

AARON & TAMAR ATTIAS – 145 BISCAY DRIVE: Mr. Nieda reviewed his staff recommendation, which is summarized as follows: the applicant requested approval for a standing metal seam roofing application that was deemed by the Building Official to be outside the normal cement or clay tile roof finish. The Code allows appeal to the Architectural Review Board for alternate variations for a roof finish. The applicant has requested approval from the Board.

Jose F. Istueta, Istueta Roofing, requested approval for a metal roof in either slate blue or slate gray. Mr. Balli discussed positive aspects of the metal roof, including a better warranty and a stronger design impression. Mr. Buzinec had no objection to the slate blue metal roof. Mr. Balli spoke in favor of the slate gray, for better conformance with the houses in the neighborhood. Mr. Schapiro agreed and noted that the slate blue color was used more in commercial buildings and the slate gray would look more residential. His comment was that the roof was compatible with the house's architecture. Mr. Balli agreed that it was a better roofing structure. Mr. Balli preferred the slate gray color.

A motion was offered by Mr. Buzinec and seconded by Mr. Schapiro to grant a Final Certificate of Appropriateness for the metal roof, subject to the following condition: slate gray color to be used.

Brian Mulheren, 10245 Collins Avenue, questioned if there were any other metal roofs in the neighborhood. He discussed the quaintness of the Village and suggested that it be looked at further. He spoke against approval.

Mr. Nieda reported that a metal roof had been approved previously for a contemporary house that was gray. He explained that this would be the first approval for a retrofit. He explained that the roof had County approval for wind-load requirements, etc.

The motion carried (4-0).

BAY COLONY OF BAL HARBOUR, INC – 290 BAL BAY

DRIVE: Mr. Nieda reviewed his staff recommendation, which is summarized as follows: that the application be presented to the Council with a favorable recommendation.

Mr. Nieda clarified that the sign would match the ONE Bal Harbour sign in size and appearance. Mr. Balli did not think that the letter Z would be illuminated, because it was too thin.

Luisa Cortuelo, Project Manager for Synergy Capital Group in charge of the project renovations, reported that all of the letters would be illuminated as presented. Mr. Balli questioned if the symbol on top of the Z and O would be illuminated. Ms. Cortuelo reported that the symbol would also be illuminated.

Nina Rudolph, 212 Bal Bay Drive, spoke against the sign, since the project was a smaller hotel than the ONE Bal Harbour and the sign would overwhelm the site.

Neil Alter, 9801 Collins Avenue, questioned if there were any restrictions that would be imposed on the hotel and if the Board would allow further construction and development of hotels on the west side. Mr. Balli explained that the project was approved, in accordance with the Village's Code, and was permitted by zoning. Mr. Nieda reported that the project was permitted by the Village Code as a proper use, it went through multiple hearings before the Board, and it was phased out as three projects.

Brian Mulheren, 10245 Collins Avenue, didn't think that the sign was appropriate for the property. He questioned if the Council/Village knew about the approval. Mr. Mulheren spoke against allowing three hotels, without a traffic survey/study.

Mr. Balli reported that the buildings were presented before the Board numerous times for approval and met all of the requirements. He didn't think that the number of units had increased and that the units were just converted to hotel rooms.

Ms. Lundgren requested that consideration of the testimony be related only to the sign.

Mr. Nieda noted that the project did not require Council approval and had gone through the proper agencies.

Mr. Cawley noted that the sign appeared to be well integrated. Mr. Balli agreed.

A motion was offered by Mr. Buzinec and seconded by Mr. Cawley to recommend approval to the Village Council. The motion carried (4-0).

5. PUBLIC HEARING:

BAL HARBOUR VILLAGE – VARIOUS BUS STOP LOCATIONS ON COLLINS AVENUE AND ON 96TH STREET: Mr. Balli opened the public hearing. No staff recommendation was provided by Mr. Nieda.

Alfred Treppeda, Village Manager, explained that the Board granted a continuance for the shelters (Option #3) on March 3, 2010, for further design work. He reported that on March 25, 2010 the Council held a Workshop Meeting and input was provided to the Designer as a result. He advised that on April 20, 2010 the Village Council approved Option #9 (3-1 vote), but explained that the outstanding issue was to choose between two options of #9 (9 – with glass on the third side and 9B – with louvers on the third side). The Board was requested to review the design and provide comments.

David Stuart, Tom Graboski & Associates, addressed the Board.

Mr. Balli discussed the white eave on Option 9b. Mr. Stuart explained that white was used to achieve more ambiance at night.

Mr. Silvers arrived.

Mr. Stuart discussed the Police Chief's safety concerns. Mr. Nieda questioned if the driver approach side had glass. Mr. Stuart advised that it had a glass panel, with an overhang for additional people. He explained that glass could be used on both sides for one option. Mr. Schapiro didn't think that glass on the driver approach side was necessary, since there was a large overhang and suggested it be left open. He spoke in favor of leaving it open or providing the glass panel for additional protection. He understood the request for transparency, for safety issues. Mr. Stuart pointed out that the overhang was also less maintenance than glass.

Mr. Schapiro suggested that the ceiling be the same color as the structure, not white, to blend in better.

Mr. Schapiro spoke against the benches on page six and requested to see the ones that would be selected. He spoke in favor of more contemporary benches. Mr. Stuart explained that the Village had the option to keep its current benches. He reported that the suggested benches would seat four to eight people, including children. Mr. Silvers questioned if the benches could be included as part of the shelter. Mr. Stuart explained that they could, but that the price of the structure would be increased. Mr. Balli noted that would make it a cleaner design. Mr. Nieda questioned the space provided for ADA compliance. Mr. Stuart reported that the middle provided access for wheelchairs, in compliance with ADA.

Mr. Silvers suggested that the overhang be increased from six feet to eight feet. Mr. Stuart explained that the cost would increase and it may force the vertical members to increase in size. He discussed the budget. Mr. Cawley questioned the location of the glass panel. Mr. Stuart explained that it would be on the side that a bus would approach. Mr. Schapiro suggested that the glass be eliminated on the right and a vertical member be removed, to open it completely. Mr. Stuart explained that if something was taken out then they would have to make up for that, such as a bar that would allow children to stand on it, etc. which would not be good. He explained that would have to be looked into. Mr. Schapiro questioned the size of the louvers and the space in between them. Mr. Stuart reported that it would be done in accordance with government regulations, but clarified that the solid portion was four inches and the spacing was less than that.

Mr. Nieda questioned how water would run off the roof. Mr. Stuart explained that it would drain towards the back (to the short overhang), which would be a reason to keep glass there, to avoid water splashing up from the ground.

Mr. Cawley discussed the wire to allow for vines. Mr. Stuart explained that not all of the areas allowed for that and reported that it would require more maintenance.

Mr. Nieda questioned if the shelters would be different sizes, depending on ridership. Mr. Stuart noted that would be up to the Village. He discussed the footprint being smaller, but the overhang being larger.

Nina Rudolph, 212 Bal Bay Drive, spoke in favor of providing protection and spoke against larger shelters. She spoke against the use of glass for safety and maintenance reasons. She spoke in favor of the shelters being open and safe. She thought the designs were beautiful, with her comments included.

Neil Alter, 9801 Collins Avenue, complimented the Designer. He spoke in favor of protection from the elements on both sides, not just one, with more comfortable seating. He discussed using the money from the red light cameras for the bus shelters.

Evelyn Katz, 10185 Collins Avenue, suggested transparency on the side opposite the bus approach also, since the vines may create an unsafe atmosphere.

Councilwoman Patricia Cohen, 10275 Collins Avenue, spoke against the designs. She spoke in favor of the current shelters, which worked with the character of the Village. She questioned sacrificing the beauty of the Village and reported that the proposed shelters were 23 feet long and there would be eight shelters in the Village. She didn't think that the landscaping shown in back of the shelters was realistic, since it would not be easily accessed.

Brian Mulheren, 10245 Collins Avenue, clarified that the Council voted 3-1 to approve the proposed design and there was no reason for it to be back before the Board. He discussed the lack of protection with the current shelters and spoke in favor of the use of glass to protect people (pedestrians, riders, seniors, etc.). He discussed the stimulus money that would be used.

Dina Cellini, 211 Bal Cross Drive, spoke in favor of the current design, either 9 or 9B. She spoke in favor of using the glass on the approach. She spoke against using the poles, without anything between, unless the poles could be deleted. She discussed the issue of rain on an angle. She explained that there were options for smaller shelters, not only the 21-23 feet ones. Mr. Balli reported that the proposed shelter's footprint was smaller, but that the roof was larger than the existing. Ms. Cellini thought that it was the Council's desire not to have larger shelters than the existing. She clarified that the need for shelters was not in the Board's purview and that the Board's authority was to look at the design. She preferred 9 or 9B, compared to the first design.

Councilman Martin Packer, 10205 Collins Avenue, clarified that the Council didn't want shelters that were larger than the existing ones. He discussed security issues with someone hiding behind the slats and questioned if the slats would be straight or at an angle. Mr. Stuart explained that they would be straight, to provide more protection. Councilman Packer suggested that an angle would be better for protection from the rain. Mr. Stuart discussed the reasons that required them to be straight (the track, etc.). He reported that the slats would be metal. Councilman Packer reported his personal viewpoint that the shelters be as un-obtrusive as possible, no larger than the existing, and to accommodate at least six people.

Mr. Balli closed the public hearing.

Mr. Schapiro thought that the latest proposal was the best the Board had seen and that the design was strong and the concept was good. He clarified that the elements would be up to the Council to work on with the community. He suggested that the glass be removed on the right hand side, using glass, slats, landscaping, or a combination in the back, and using the same thing on the left hand side (open or glass, but not slats, due to security reasons).

Mr. Balli spoke in favor of Option 9, with the ceiling being the same color as the rest of the structure.

Mayor Jean Rosenfield, 10155 Collins Avenue, reported that the Council approved the design and would like advice from the Board. She requested a recommendation for both aesthetics and safety regarding glass, louvers, open, etc.

Mr. Stuart requested consensus on the seats. He suggested using a contemporary design, with cleaner lines, and the separations. He advised that the seats could be attached, but noted that the structural load would then change on the shelter.

Mr. Silvers clarified that the Board was not deciding on the size, but only on the design. He agreed with removing the glass on the approach side, since the larger overhang would allow for more protection.

Mr. Cawley agreed that the design was strong enough and that there could be different configurations. He suggested that the sides be kept open (no louvers), with or without glass.

Mr. Nieda suggested glass on both sides to satisfy protection from the weather and for safety/security (Option 9). He explained that if the glass became a problem with graffiti, etc. then the glass could be removed, at least on the driver approach side.

Mr. Schapiro agreed that from a design point the glass could be removed, since the roof was cantilevered. He thought that would provide better protection and be cleaner.

Mr. Stuart suggested that the back column be designed to stand alone and to remove the front pole with the cantilever. Mr. Balli noted that driving rain could be stopped by the louvers in the back, while the two sides could be left open. He suggested building a shelter and conducting a pilot test, to see how it protected, etc. Mr. Stuart reported that the roof was thin and would provide more protection than the current shelters. He noted that if slats were used on the back, then some water would come through. He added that if the glass was removed from the far left hand side, then people would get wet. He discussed the environment.

Mayor Rosenfield questioned the costs.

Mr. Cawley summarized that everyone was happy with the overall design concept, the footprint, the roof overhang, and the roof matching the shelter color instead of being white.

He clarified that the question was whether or not to use glass on the two sides. Mr. Balli noted that the glass would not play a structural role. Mr. Silvers discussed the possibility of having the flexibility of adding glass in the future. Councilman Packer suggested that it be designed with the ability to remove the glass if desired.

Mr. Balli discussed the process of having a test shelter. Mr. Treppeda reported that the St. Regis had offered to do a prototype. Mr. Nieda agreed that they had offered to do that when a portion of their project was completed.

A motion was offered by Mr. Silvers and seconded by Mr. Buzinec to recommend to the Village Council that the shelters be open on the sides, keep the glass in the back, and include modular glass panels for the sides (it would be up to the Village to decide whether or not inclusion/removal of the glass panels worked). The motion carried (5-0).

Mr. Treppeda questioned if the glass panels would be easy to take out, etc. Mr. Stuart didn't think so. Mr. Treppeda suggested that the shelters be designed to add the glass in the summer and remove the glass in the winter. Mr. Stuart reported that a cost study would need to be done.

Mr. Cawley left the meeting.

ZALMAN LEKACH – 110 CAMDEN DRIVE: Mr. Nieda reviewed his staff recommendation, which is summarized as follows: the applicant requested approval for a non-compliant paint color that was outside of the approved color palate. The Code allows appeal to the Architectural Review Board for alternate variations of the approved color palate. The applicant has requested approval from the Board for a non-compliant color, Blond Wood #1067.

Carlos Hernandez, Contractor, was sworn in by Mrs. Horvath. He reviewed the paint colors. Mr. Balli spoke in favor of the color combination. Mr. Hernandez noted that the natural keystone color would be used.

A motion was offered by Mr. Buzinec and seconded by Mr. Silvers to grant a Final Certificate of Appropriateness, subject to the following condition: approval is for paint color Blond Wood #1067. The motion carried (4-0).

6. ADJOURN: There being no further business, *a motion was offered by Mr. Silvers and seconded by Mr. Buzinec to adjourn. The motion carried (4-0), and the meeting adjourned at 12:56 p.m.*

Attest:


Ellisa L. Horvath, MMC, Village Clerk


James Silvers, Chairman